IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE C.N.RAMACHANDRAN NAIR

WEDNESDAY, THE 22ND AUGUST 2007 / 31ST SRAVANA 1929

WP(C).No. 24312 of 2007(T)

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PETITIONER:

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NASEEMA NAVAS, AGED 40 YEARS,
W/O.V.B.NAVAS, ANJILLETTUPARAMBIL HOUSE,
PALLURITHY, COCHIN-6.

BY ADV. SRI.ABDUL JALEEL.A
SRI.R.V.SUJIT KUMAR
SMT.M.A.SULFIA

RESPONDENTS:

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1. THE COMMERCIAL TAX OFFICER/INSPECTOR,
   SQUAD NO.II, OFFICE OF THE INSPECTING,
   ASSISTANT COMMISSIONER, ERNAKULAM.

2. THE COMMERCIAL TAX OFFICER,
   KVAT, CIRCLE-1, ERNAKULAM.

3. THE TREASURY OFFICER,
   SUB TREASURY OFFICE,
   ERNAKULAM.

4. STATE OF KERALA,
   REPRESENTED BY THE SECRETARY TO GOVERNMENT (TAXES)
   GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM.

BY G.P. SRI.SREEKRISHNA

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 22/08/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

C.N.RAMACHANDRAN NAIR, J.

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W.P.(C) No.24312 of 2007

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Dated this the 22th day of August, 2007.

JUDGMENT

Even though the reason stated in Ext.P2 for declining refund is different, Government Pleader stated his instruction is that the Treasury will refund the amount on production of original refund order. The petitioner is directed to produce the original refund order and voucher before the third respondent who will immediately thereafter release the payment. I make it clear that if there is any technical difficulty in refund, the same should be sorted out between respondents 2 and 3 each other and petitioner should not be declined refund. If refund is not granted within three weeks from date of production of original refund order and voucher along with copy of this judgment, petitioner can move this court for contempt.

W.P. is disposed of as above.

C.N.RAMACHANDRAN NAIR
Judge

pms